



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/699,036	10/27/2000	Charles P. Bobbitt	5053-30801	6768

7590 01/18/2005

Eric B Meyertons
Conley Rose & Tayon P C
P O Box 398
Austin, TX 78767-0398

EXAMINER

COLBERT, ELLA

ART UNIT PAPER NUMBER

3624

DATE MAILED: 01/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/699,036

Applicant(s)

BOBBITT ET AL.

Examiner

Ella Colbert

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 November 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-73 is/are pending in the application.
- 4a) Of the above claim(s) 74 and 124 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-73 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01 November 2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-7 and 124 are pending. Group I, Claims 1-73 have been elected without traverse in response to the Election/Restriction requirement filed 11/01/04.
2. The IDS filed 11/01/04 has been considered.

Double Patenting

Claims 1-73 of this application conflict with claims 1-73 of Application No.09/699,015. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. Applicant is required to either cancel the conflicting claims from all but one application or maintain a clear line of demarcation between the applications. See MPEP § 822.

A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

Claims 1-73 of the instant application are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-73 of copending Application No. 09/699,015. This is a provisional double patenting rejection since the

Art Unit: 3624

conflicting claims have not in fact been patented. Claims 1-73 of the instant application have identical wording as claims 1-73 in provisional application 09/699,015.

Claim Objections

3. Claim 2 is objected to because of the following informalities: Claim 2 reads "... processing relationship value from an FSO transaction-related data in the FSO computer system. This claim would be better read "... processing relationship value from an (Financial Service Organization) FSO transaction-related data in the FSO computer system Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 19, 42, 69, and 488 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 19 reads "... comprises identifying one or methods and one or more properties of an object associated with each ...". Do Applicants' mean "... comprises identifying one or more methods and one or more properties of an object associated with each ..."? Claims 42 and 69 have a similar problem. Claim 488, page 15 reads "wherein the computer system is configured to receive a first FSO transaction-related data, wherein the computer system is configured to read the selected plurality of field identifiers from the first memory in response to the computer system receiving the first FSO transaction-related data,".

Art Unit: 3624

This claim limitation is very confusing, vague, and unclear. It is undeterminable what Applicants' are trying to claim.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-73 are rejected under 35 U.S.C. 102(b) as being anticipated by (US 6,341,287) Sziklai et al, hereafter Sziklai.

As per claims 1 and 51, Sziklai teaches, A method comprising: displaying one or more processing relationship object representations on a display screen in data communication with a Financial Service Organization (FSO) computer system comprising a database (col. 11, lines 47-55 and col. 12, lines 46-64); selecting one or more processing relationship object representations from the displayed processing relationship object representations (col. 11, lines 23-33 and col. 12, lines 9-21); preparing a processing relationship definition for each of the selected one or more processing relationship object representations(col. 12, lines 23-33); and storing each processing relationship definition in the database (col. 9, lines 43-57).

As per claims 2, 25, and 52, Sziklai teaches, The method of claim 1, wherein each processing relationship definition stored in the database is configured for use in preparing a processing relationship value from an FSO transaction-related data in the FSO computer system (col. 13, lines 23-32 and lines 58 –col. 14, line 12).

Art Unit: 3624

As per claims 3, 26, and 53, Sziklai teaches, The method of claim 2, wherein the processing relationship value is configured for use in identifying an FSO business entity as an owner of the FSO transaction-related data (col. 22, lines 10-20).

As per claims 4, 27, and 54, Sziklai teaches, The method of claim 3, wherein the FSO business entity is a company or a business unit or a bank branch office or a regional bank or a credit card line or an issuer or an acquirer (col. 22, line 34-col. 23, line 36).

As per claims 5, 28, and 55, Sziklai teaches, The method of claim 1, wherein the selecting one or more processing relationship object representations is performed by a user of the FSO computer system (col. 26, line 48 –col. 27, line 26).

As per claims 6, 29, and 56, Sziklai teaches, The method of claim 1, wherein the selecting one or more processing relationship object representations is programmable or executable by an expert system (col. 7, lines 42-62 and col. 8, lines 25-41).

As per claims 7, 30, and 57, Sziklai teaches, The method of claim 1, wherein the storing the processing relationship definition in the database comprises transferring the processing relationship definition to a report record definition stored in the database (col. 9, lines 43-57 and col. 10, lines 24-33).

As per claims 8, 31, and 58, Sziklai teaches, The method of claim 1, wherein the preparing the processing relationship definition comprises creating a highest level processing relationship object in a processing relationship structure, wherein the highest level processing relationship object represents an FSO (col. 12, lines 55-64).

As per claims 9, 32, and 59, Sziklai teaches, The method of claim 8, wherein the processing relationship structure is expanded by inserting one or more processing

relationship objects as descendants of the highest level processing relationship object (col. 12, line 46-col. 13, line 13, fig. 3, and fig. 5).

As per claims 10, 33, and 60, Sziklai teaches, The method of claim 8, wherein the processing relationship structure is edited by inserting or deleting one or more processing relationship objects, wherein each of the one or more processing relationship objects are descendents of the highest level processing relationship object (col. 13, lines 14-22).

As per claims 11, 34, and 61, Sziklai teaches, The method of claim 1, wherein the displaying one or more processing relationship object representations on a display screen comprises displaying values associated with a sequence number and a level number (col. 14, lines 1-12 and fig. 5).

As per claims 12, 35, and 62, Sziklai teaches, The method of claim 11, wherein the level number identifies a level in a hierarchical tree (col. 14, lines 5-11).

As per claims 13, 36, and 63, Sziklai teaches, The method of claim 1, wherein the displaying one or more processing relationship object representations on a display screen comprises displaying values associated with an object name, an object description and an object number for a displayed processing relationship object (col. 18, line 60-col. 19, line 22).

As per claims 14, 37, and 64, Sziklai teaches, The method of claim 13, wherein the object name identifies a unique name assigned to an object (col. 11, lines 14-33).

As per claims 15, 38, and 65, Sziklai teaches, The method of claim 1, wherein the database is relational or object oriented (col. 14, lines 1-25). Sziklai did not expressly

Art Unit: 3624

disclose the database is relational or object oriented. However, since the reference refers to a table with relationships and JAVA it the database is considered to be both relational and object oriented because JAVA is an object oriented application.

As per claims 16, 39, and 66, Sziklai teaches, The method of claim 1, wherein the selecting a first processing relationship object representation from one or more processing relationship object representations comprises positioning a cursor of an user input device above the first processing relationship object representation and clicking a button of the user input device (col. 28, lines 56-63 and fig.'s 12-18).

As per claims 17, 40, and 67, Sziklai teaches, The method of claim 1, wherein the preparing a processing relationship definition comprises creating or editing an object associated with each of the selected processing relationship object representation (col. 18, lines 57-59, col. 19, lines 30-32, and col. 20, line 66 –col. 21, line 52).

As per claims 18, 41, and 68, Sziklai teaches, The method of claim 17, wherein the creating the object comprises identifying a unique object identifier and identifying values for the object properties (col. 11, lines 14-33 and col. 13, lines 24-32).

As per claims 19, 42, and 69, Sziklai teaches, The method of claim 1, wherein the preparing a processing relationship definition comprises identifying one or methods and one or more properties of an object associated with each of the selected processing relationship object representation (col. 13, lines 14-22).

As per claims 20, 43, and 70, Sziklai teaches, The method of claim 1, wherein the processing relationship object representations comprises a class of objects representing

Art Unit: 3624

a company or a business unit or a bank branch office or a regional bank or a credit card line or an issuer or an acquirer (col. 15, lines 21-32 and col. 16, lines 22-34).

As per claims 21, 44, and 71, Sziklai teaches, The method of claim 1, wherein the processing relationship object representations comprises an icon displayed on the display screen of the FSO computer system (col. 14, lines 37-41, col. 29, lines 50-52, and fig. 8).

As per claims 22, 45, and 72, Sziklai teaches, The method of claim 1, wherein a user of the FSO computer system executes a processing relationship configuration program to prepare the processing relationship definition (col. 9, lines 43-57).

As per claims 23, 46, and 73 Sziklai teaches, The method of claim 1, wherein the user of FSO computer system executes a processing relationship configuration program to reconfigure and store in the database the processing relationship definition in response to changing business conditions (col. 9, line 58-col. 10, line 14).

As per claim 24, Sziklai teaches, A system for processing FSO transactions, the system comprising: a computer program; a computer system (col. 14, lines 18-49); wherein the computer program is executable on the computer system to execute: displaying one or more processing relationship object representations on a display screen in data communication with a Financial Service Organization (FSO) computer system comprising a database; selecting one or more processing relationship object representations from the displayed processing relationship object representations; preparing a processing relationship definition for each of the selected one or more processing relationship object representations; and storing each processing relationship

Art Unit: 3624

definition in the database (col. 14, lines 1-49 and col. 29, lines 31-47). This independent claim is rejected for the similar rationale as given above for claim 1.

As per claim 47, Sziklai teaches, The system of claim 24, wherein the computer system comprises a display device coupled to the computer system to display data (col. 14, lines 36-41).

As per claim 48, Sziklai teaches, The system of claim 47, wherein the display device is a display screen (col. 29, lines 65-67).

As per claim 49, Sziklai teaches, The system of claim 24, wherein the computer system comprises a user input device coupled to the computer system to enter data (col. 10, lines 63-65).

As per claim 50, Sziklai teaches, The system of claim 49, wherein the user input device is a mouse or a keyboard (col. 14, lines 63-67).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Beier et al (US 5,881,379) disclosed keyed database records.

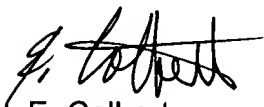
Inquiries

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ella Colbert whose telephone number is 703-308-7064. The examiner can normally be reached on Monday-Thursday.

Art Unit: 3624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1038. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'E. Colbert', with a stylized flourish at the end.

E. Colbert
January 6, 2005